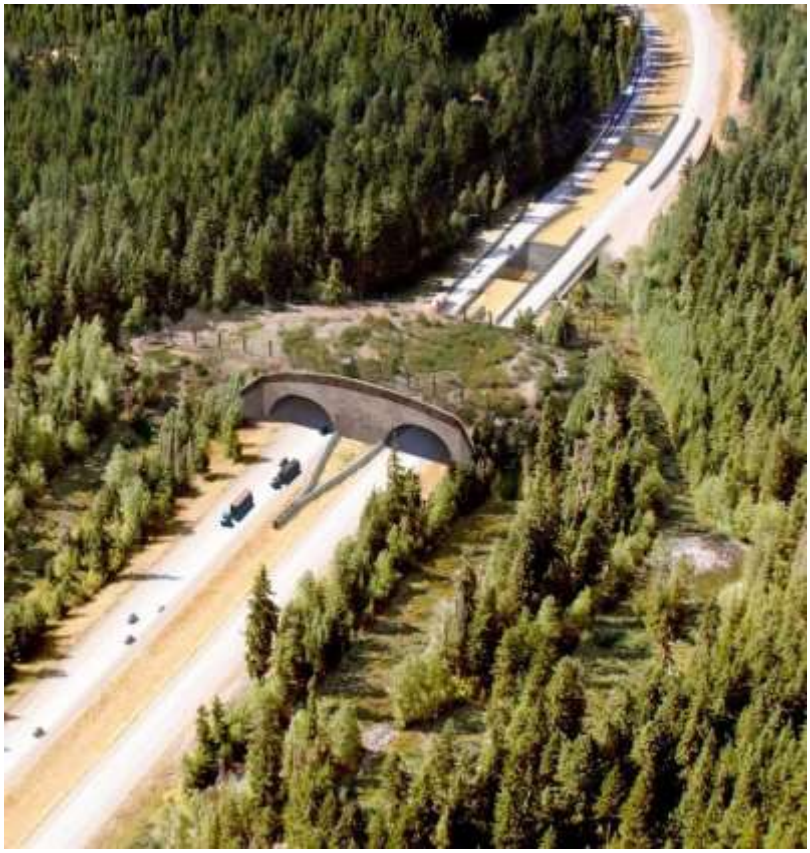

WSDOT'S ENVIRONMENTAL PLANNING AND PEL HANDBOOK

Environmental Services Office

October 2018

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Acronyms:

BMP	Best Management Practice
CE	Categorical Exclusion/Exemption
CED	Chronic Environmental Deficiency
CSI	Corridor Sketch Initiative
DNR	Department of Natural Resources
DOT	Department of Transportation
EA	Environmental Assessment
EIS	Environmental Impact Statement
EJ	Environmental Justice
EPA	Environmental Protection Agency
ERS	Environmental Review Summary
ESO	Environmental Services Office
FAST Act	Fixing America's Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
M3	Multi-agency, Multi-discipline, Multi-modal
MAP-21	Moving Ahead for Progress in the 21st Century
NEPA	National Environmental Policy Act
NGO	Non-Governmental Organization
NPDES	National Pollution Discharge Elimination System
NPS	National Park Service
PEL	Planning Environmental Linkage
PSP	Puget Sound Partnership
RCW	Revised Code of Washington
ROW	Right of Way
SEG	Salmon Enhancement Group
SEPA	State Environmental Policy Act
TSMO	Transportation System Maintenance and Operation
WDFW	Washington Department of Fish and Wildlife
WSDOT	Washington State Department of Transportation
WTP	Washington Transportation Plan
USACE	United States Army Corps of Engineers
USC	United States Code
USCG	United States Coast Guard
USFS	United States Forest Service
USFWS	United States Fish and Wildlife Service

1.0 Background

Incorporating environmental data into decision-making at the planning phase is standard practice for transportation and land use agencies. Because every study is unique and the amount of investment and benefit for incorporating environmental data into planning varies, WSDOT has never defined a formal process. As the agency reinvigorates its planning efforts to better frame its focus on Practical Solutions, the time is right to test and formalize how best to incorporate environmental data in planning.

In 2018, WSDOT Environmental Services Office is working with region and headquarters planning staff to define how best to develop and test environmental planning guidance through pilot studies. The goal is to incorporate the right amount of environmental concepts into planning and early scoping for all WSDOT projects.

We selected four corridor plans of varying complexities to test this guidance. By applying the test to different types of studies, we intend to demonstrate how planners can "right size" their efforts. This guidance explains common environmental considerations for all planning studies, and why, when and how to undertake a formal Planning and Environmental Linkage (PEL) study.

As defined in federal regulation, the PEL process has many benefits for projects likely to require advanced NEPA documentation, but the added requirements must be weighed against the benefits of this process before deciding to implement a formal PEL. For studies where a formal PEL won't save time, simple steps to incorporate environmental considerations into planning can improve how proposed transportation solutions advance from planning into design.

This handbook contains the draft guidance that is being tested by the four studies. This handbook explores the roles of planning and environmental staff in developing practical solutions through corridor planning efforts. In spring 2019, ESO will formalize the process from the lessons learned and work with region environmental and planning staff to implement it on future corridor plans and early project scoping.

1.1 Why link planning and environmental reviews?

State and local agencies can achieve significant benefits by incorporating environmental and community values into transportation decisions early in planning, and then carrying these considerations through project development and delivery. Benefits listed by FHWA and FTA include:

- *Relationship-building benefits:* The approach enables agencies to be more effective in the transportation decision-making process through its focus on building inter-agency relationships. By encouraging resource and regulatory agencies to get involved in the early stages of planning, agencies have an opportunity to help shape transportation projects to be better aligned with their agencies' objectives.

- *Improved project delivery timeframes:* The approach improves process efficiencies by minimizing potential duplication of planning and NEPA processes, creating one cohesive flow of information. In addition, improvements to inter-agency relationships may help to resolve

differences on key issues as transportation programs and projects move from planning to design and implementation.

- *On-the-ground outcome benefits:* When transportation agencies conduct planning activities equipped with information about resource considerations and in coordination with resource agencies and the public, they are better able to design transportation programs and projects that serve the community's transportation needs more effectively. Addressing environmental issues in planning provides agencies with tools to design better projects while avoiding and minimizing impacts on natural resources.

Environmental coordination during planning studies can range from developing the environmental context for a corridor to conducting a full federal study that incorporates NEPA documentation processes into planning, referred to as Planning Environmental Linkage (PEL). We anticipate the pilot studies will show benefits for both the plans and project delivery. Benefits we anticipate include:

- Identifying agency environmental priorities and project constraints when considering infrastructure improvements
- Understanding and documenting community needs through robust community engagement
- Identifying and addressing controversy through development of a clear purpose and need and alternative selection for future action
- Making informed decisions about the likely scope and budget for future transportation improvement projects (before project budgets are set)
- Getting "credit" for completing two processes at once by considering NEPA concepts during planning to speed up project delivery of a large-scale project when funded

1.3 Practical Solutions, Planning, and Environmental Analysis

This section discusses how environmental information and expertise fits into Practical Solutions – the process to develop sustainable multimodal solutions. Since much of this is still evolving, this section also touches on the important roles and expectations for multidisciplinary support, including the need to seek input from subject matter experts.

1.3.1 Practical Solutions

WSDOT has embraced a Practical Solutions approach to planning and project delivery. WSDOT's intent is to make the right investments, in the right places, at the right time, while using the right approach. Practical Solutions require increased engagement and collaboration with partners & affected communities in order to understand current and future transportation needs. To develop Practical Solutions the agency identifies strategies and develops potential solutions to address the needs/performance gaps. Our investment choices are guided by multimodal performance outcomes in order to achieve an integrated multimodal and sustainable transportation system. The goal is to be intentional in developing solutions and in making near term investments.

Figure 1. WSDOT's Practical Solutions approach to transportation decision-making.

A key component of defining Practical Solutions is to understand a corridor's contextual and baseline needs. As defined in Chapter 1100 of WSDOT's Design Manual (2018), a baseline need is the primary reason a solution has been proposed within the corridor. There can be more than one baseline need, and consideration of baseline needs typically evolve through planning and programming processes. For example, baseline needs on a corridor may include addressing safety and improving fish passage.

A contextual need is any identified need that is not a baseline need. Baseline needs primarily shape the alternatives developed, while contextual needs are important to understand performance trade-offs. Contextual needs present opportunities for optimizing the design, provide for partnerships and modal considerations, and ultimately determine the most optimal project alternative.

Staff Identify environmental contextual and baseline needs in planning to define the full scope of a proposed solution. In some cases, environmental priorities may become a baseline need for a proposed solution. ESO has identified retrofit priorities and other environmental policies likely to rise to a baseline need (see Table 1, section 2.3). Often times, environmental data is contextual and planning teams will use environmental data to understand trade-offs and to define best ways to engage partners as we refine solutions.

1.3.2 Planning

Planning's role in transportation decision-making is to identify needs and assess alternative strategies. Transportation plans are required by local ordinances, state laws, and federal regulations and are developed by federal, state, local, and tribal governments. WSDOT transportation system plans can be an umbrella plan, a modal plan, or a corridor-level plan.

- The WTP Phase 2 is the policy-level umbrella plan that facilitates the efficient, economic movement of people and goods in all areas of the state, including metropolitan areas. WSDOT

develops this plan to meet federal and state requirements. The plan is consistent with the federal statewide planning process and support the state's transportation system policy goals.

- Modal plans are developed for modes that are operated on systems owned and/or managed by the state (highway system, ferries, rail) and on systems and facilities owned and/or managed by others (transit, aviation, rail, active transportation). WSDOT develops these plans to meet federal and/or state requirements and to support the state's transportation system policy goals.
- Corridor-level plans may be known as corridor sketches planning studies, corridor studies, integrated scoping reviews, and route development plans. These plans differ in scope, but all follow state requirements and support the state's transportation system policy goals.

In each plan, WSDOT implements Practical Solutions[1] by engaging communities and stakeholders to propose answers to the following questions:

- What are we trying to achieve?
- What's working well and what needs to change?
- What actions would help achieve the most value for the least cost?

Although the scope of each plan differs, all plans share these common goals:

- Focus on the operation of the system/mode before identifying needs;
- Follow WSDOT's process and criteria for determining level of investment in each mode from the customer's point of view;
- Share the same definition and needs of shared spaces and modal nexus points;
- Sync horizon years;
- Share common understanding of appropriate level of precision (detail, age) of data;
- Consider timing of planning efforts;
- Support achievement of the transportation system policy goals in state's transportation system policy goals in RCW 47.04.280 (Economic Vitality, Preservation, Safety, Mobility, Environment, and Stewardship)
- Fulfill various state and federal requirements; and
- Strive for full participation from the community and stakeholders.

Corridor-level planning at WSDOT begins with theCorridor Sketch Initiative (CSI). WSDOT's CSI is the first step to identify and document existing conditions and screen for high-level needs on state highways and the surrounding network based on the. CSI functions as a broad look at Washington's 304 state corridors, establishing a baseline of where each corridor stands. This information is captured within the Corridor Sketch Summaries. Corridor Sketch Summaries may include performance assessments that recognize performance gaps, determine contributing factors, and identify potential strategies to address those gaps. To date, performance gaps for CSI have been identified using the methodology and screening tools developed by WSDOT. CSI documents the high-level corridor descriptions and functions,

[1] More information about Practical Solutions can be found at: https://www.wsdot.wa.gov/about/practical-solutions

contributing factors/root causes of performance gaps, and identify strategies that require a more detailed analysis before implementation. Strategies identified in CSI are used by the agency to prioritize its corridor planning activities. Strategies are reviewed, refined, and if appropriate, advanced. As prioritized strategies advance, they may move into a corridor planning study.

The objective of a corridor planning study is to meet the statewide policy objectives of preservation, safety, mobility, environment enhancement, and stewardship to continuously improve the quality, effectiveness, and efficiency of the transportation system. Corridor planning studies identify the current functions of a corridor and forecast future demands on the system. The study connects issues that help describe the context for a corridor planning study and the expectations for improving the function of the route. Certain core data must be in every corridor planning study to enhance the statewide base of information.

Both the CSI and corridor planning studies make up the first few steps of WSDOT's Integrated Scoping and connects planning to programming. Integrated Scoping is the process WSDOT is using to collaborate with partners and address performance gaps on the transportation system. Through Integrated Scoping, interdisciplinary teams of professionals identify transportation related performance gaps, develop strategies to address these gaps, refine concepts into integrated, multimodal, programmed solutions, leading to project and program implementation and monitoring.

Environmental needs are identified during corridor planning studies and as part of Integrated Scoping (see section 2.3). This information is used to identify corridor-wide environmental conditions, support its documentation, and define environmental priorities as context or baseline needs. By highlighting environmental issues early in the process, WSDOT and its partners can focus on addressing them individually or as part of a larger process.

1.3.3 Early Environmental Analysis

Most of the environmental work in WSDOT's regions is focused on delivering transportation projects. Environmental staff analyze the environmental impacts of proposed transportation projects and ensure environmental policy and regulatory compliance for all operations, maintenance and development actions of the agency. Environmental staff understand how to deliver defined transportation projects. Extending the role of environmental staff into planning requires a stretch from the role our staff have traditionally served. We recognize that region and modal offices are not currently resourced to engage in planning-level (aka "pre-design") work except where major studies have been funded. The four studies testing this guidance are using help from ESO staff and when possible their region environmental staff. ESO's NEPA/SEPA Program is facilitating this effort.

For planning studies, environmental staff consider a different suite of issues. What are the agency environmental assets, and what affect will planning decisions have on them? Are the environmental issues within a corridor baseline or contextual needs of our proposed transportation solutions? What environmental resources will the proposed solutions impact, and how can those impacts be minimized?

Who are the environmental stakeholders, and how can those stakeholders best contribute to our planning efforts?

Environmental staff help planning teams integrate considerations for addressing environmental performance gaps into transportation planning and TSMO decisions, programming, and project scoping processes. Section 2.0 explains how the focus of environmental work in planning helps achieve this integration.

2.0 WSDOT's Approach to Environmental Planning and PEL

Environmental coordination during planning studies can range from conducting an environmental screening to conducting a PEL study to meet federal requirements. Every planning study should consider the environmental baseline and contextual needs of a corridor and use that understanding to refine solutions proposed in that planning study. This approach does not mean that all planning studies should be PEL studies.

2.1 Regulatory basis for PEL

The FHWA and FTA planning regulations have included provisions on PEL practices and authorities since 2007.[2] Congress enacted a new authority[3] for PEL in 2012 in MAP-21 and amended it in 2015 through the FAST Act. That authority, 23 U.S.C. 168 (Section 168), provides a process by which both the lead agency and cooperating agencies may adopt or incorporate by reference a planning product to use during the environmental review process, to the maximum extent practicable and appropriate:[4]

There are conditions that need to be met in order for FHWA or FTA to use planning documents under PEL. To be used in NEPA, a PEL study must involve the federal lead as well as interested state, local, tribal, and federal agencies, and the public. Decisions must be documented in an identifiable format (such as the PEL Questionnaire) and made available for review during the NEPA scoping process.

To learn more about PEL, you can explore the FHWA & FTA PEL Website. The image below is from the main page, from there you can access case studies and more.

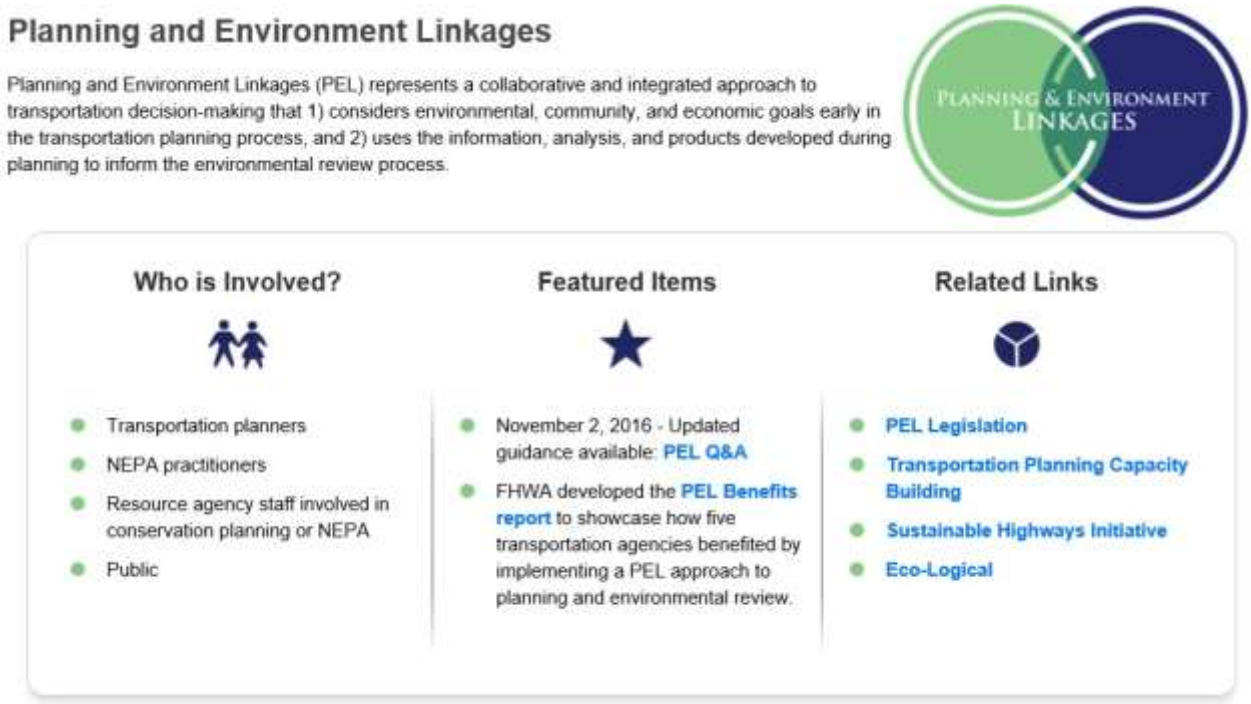

Figure 2. FHWA's Environmental Review Toolkit entry page to Planning Environmental Linkage.

2.2 Rightsizing

A PEL study creates benefits to future project delivery through public engagement, regulatory efficiencies and reduced duplication, resulting in cost savings. Those cost savings vary by level of effort of the specific NEPA strategy and the PEL process requirements. Formal PEL studies are driven by federal regulations. The regulations are written with an Environmental Assessment (EA) or Environmental Impact Statement (EIS) in mind and include limits of when an agency can use a PEL study to streamline NEPA (e.g., timing, FHWA/FTA involvement, documentation requirements). In consideration of regulatory requirements, the Environmental Services Office suggests PEL studies be limited to those plans that are likely to lead to a major capital improvement *or* a major choice – like whether to toll a corridor. In order to use PEL study findings, a proposed solution must advance to design within five years of completing the plan.

We recommend that region planning and environmental staff work together to develop the best approach for your specific planning study. Consider level of effort and timing of projects that may be selected when initiating a planning study in order to identify environmental issues that can be included earlier in the planning process. Different classes of NEPA actions require different levels of alternatives development and analysis, as follows:

- Most projects (95-98%) that WSDOT reviews through the environmental process are classified as NEPA Categorical Exclusions (CE). CEs do not explicitly require an alternatives analysis, although any environmental impact avoidance and minimization alternatives must be discussed.

Categorical Exclusions do not require a formal process to define purpose and need, they do not require alternative screening, and do not require public involvement.

- EAs require consideration and analysis of a Preferred Alternative and No-Action Alternative. EAs generally do not require an agency to analyze all reasonable alternatives. If other alternatives were considered, the EA must document why they were dismissed. A PEL study can help with that step. EAs must discuss any environmental impact avoidance and minimization alternatives.
- EISs must evaluate in detail a reasonable range of alternatives and the No-Action Alternative. An EIS must document why alternatives were dismissed from further consideration and must discuss any environmental impact avoidance and minimization alternatives. When a planning study will likely identify solutions that require an EIS, the planning study must meet formal PEL requirements in order for the planning effort to be incorporated into the EIS.

PEL is not appropriate for design phase projects and should not be started for projects funded for design.

Right-sizing considerations:

□ Identify the phase of delivery of your project (i.e., is this a plan, or are you in design?)

□ Identify federal actions. Will FHWA or FTA be involved with your project?

□ When alternative solutions have been identified, consider:

□ Level of impact of specific alternative with environmental staff and FHWA

□ Controversy associated with the project

□ Likely timing required to implement solution (i.e., < or > 5 years)

2.3 WSDOT Environmental data for transportation planning

Considering the environmental as part of planning is consistent with legislative direction. Environment is one of the six policy goals listed in RCW 47.04.280, "To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment." This is further supported by WSDOT's environmental policy statement (EO 1018.2). The state's transportation system should support key environmental functions. Performance gaps exist or are created when environmental functions are impacted by transportation infrastructure. For example, when stormwater runoff from the highway is left untreated, affecting water quality.

The Environmental Services Office has already identified key environmental needs as part of Phase 1 of the Corridor Sketch Initiative (CSI). Environmental data included in a corridor sketch is a good place to identify performance gaps, potential partnership opportunities, and provide context for community engagement opportunities at the beginning of the planning process. During Corridor Planning, environmental staff can help to incorporate CSI environmental priorities into the early phases of a

planning study. Environmental members of the planning team can help determine whether the environmental needs are context for transportation planning efforts, or if fixing a gap in environmental performance rises to the level of a baseline need. Holding a workshop with ESO's Asset Managers and Asset Stewards staff is the best way to incorporate CSI environmental priorities into planning. Contact ESO's NEPA/SEPA Program for assistance.

CSI Environmental data includes:

- Climate Vulnerability Impacts
- Chronic Environmental Deficiencies
- Fish Passage Barriers
- Habitat Connectivity Priorities
- Noise Reduction
- Stormwater Retrofit & BMP Priorities
- Wetland Mitigation Sites
- Historic Bridges

Environmental Data Considerations:

□ Review and Update CSI environmental data to identify corridor environmental strategies

□ Hold a work session with ESO Asset Managers/Asset Stewards to:

- □ Categorize each environmental strategy as a baseline or contextual need
- □ Define the priority for each environmental strategy
- □ Discuss the spatial and temporal relationship between the environmental strategy and other transportation needs within the corridor (i.e., does an action need to be considered in the same location and around the same time as a proposed multimodal, mobility, or safety consideration?)
- □ Identify who outside the agency may be interested in the strategy

□ Summarize work session findings as the environmental setting for the corridor study

Table 1. Questions you can begin to answer with CSI environmental data (potential partners, and ways to address retrofit priorities) that help define corridor environmental context. See I-4 Scoping Instructions for more information.

	Priority – what is it? Why is it a priority?	**Consider who outside of the agency is interested in this priority?**	**Where is the issue or resource likely to be considered / in relation to future actions in the corridor?**
Climate Impacts	Understand potential vulnerability of route	Asset managers Locals, Feds emergency response	Local flood hazard mitigation, emergency response, could be local land use regulations, Relates to stormwater, flooding, culvert size, CED
Chronic Environmental Deficiencies (CED)	Impact to salmonid habitat & roads, cost, partners	WDFW, tribes, locals	Reach assessments, wild and scenic rivers, sole access to national parks and tribal lands, habitat restoration, emergency repair
Fish Barrier Replacements	Eliminate fish passage barriers to increase stream habitat; required by RCW & injunction	WDFW, tribes, locals, SEGs, federal courts	Impacts of transportation infrastructure on fish-bearing streams. Fish Passage Barrier Replacement Program identifies agency priorities. If a project involves an area with an impassable culvert, WSDOT replaces culvert with project.
Habitat Connectivity	Ecological stewardship and wildlife-related safety	WDFW, tribes, USFS, NGOs, USFWS, locals, traveling public, adjacent land owners	Fish passage replacement, deep fill conditions, other transportation projects, existing bridges and culverts
Noise Reduction	Locations where noise criteria are met but roads were in place before policy. # people impacted, benefitted, cost of noise abatement	FHWA & locals	Evaluate project in retrofit areas as a Type 1 project (widen highway, build new highway, move highway closer, create new line of site). Meets criteria = gets built. Doesn't meet criteria = don't build
Stormwater Retrofits and BMPs	Improve water quality; NPDES Municipal Stormwater Permit requirements and construction commitment	Ecology, PSP, Shellfish growers, tribes, EPA. environmental advocacy groups, local jurisdictions	Existing BMPs must be maintained and replaced if future construction requires removal; priority retrofit areas are locations where treatment does not currently exist and new BMPs could be constructed
Wetland Mitigation Sites	Maintain and avoid existing sites. Ensure Asset Management Plan goals are upheld	Category 1 is highest concern. Watershed groups, Ecology & tribes	Advance mitigation site, bank, or 3rd party mitigation option. Consider future projects to determine if advance mitigation is an option
Historic Bridges	Highest quality old bridges to preserve as long as possible	Cultural Resources Program maintains full list. Lots of local advocates for historic bridge preservation	3,000 bridges have been assessed within our corridors (of 7,300). Assess eligibility for new projects

2.4 Representing external environmental interests

Transportation priorities within a corridor must consider the community context. For environmental, this context includes non-WSDOT federal, state, local, tribal, corporate, and Non-Governmental Organization priorities within the corridor. Coordinating with resource agencies is a requirement of PEL, and generally considered part of the environmental context for WSDOT's corridor plans. When the priorities of these groups lead to controversy that only becomes apparent during design, addressing the issue becomes a challenge to WSDOT budgeting and project delivery. Understanding these priorities and addressing them before a project advances to design helps ensure budgets are adequate and schedules are met.

Pilot teams following this guidance should identify plans and policies that might influence WSDOT's management of the corridor, making sure to note external agency priorities and contacts. Identify external agency interests as context for your Corridor Planning Study by creating a partnership profile. Some examples include natural resource zoning considerations (e.g., Columbia River Gorge National Scenic Area, Design Guidelines for Ebey's Landing National Historic Reserve, Wild and Scenic River designation, tribal trust lands); recovery and restoration plans; and, other external planning documents that identify a network of resources within a given corridor (e.g., NPS, USFWS, Ecology, State Parks, DNR, WDFW, tribal, and local government management plans). This information provides context for a planning study/PEL. Inviting resource agencies into the planning process will help determine whether these contextual needs should be considered a baseline need for proposed transportation solutions.

Baseline needs are critical performance gaps that must be addressed through your planning study. Contextual needs are considerations that can be used to weight the screening of alternatives being assessed. At a minimum, planning or environmental staff should summarize environmental needs in a planning study as context. As planning advances, the study should define environmental priorities as baseline or contextual needs within the corridor.

External Environmental Interests Considerations:

□ Identify all local, state, tribal, and federal zoning laws likely to affect the corridor:

- □ List zoning laws/planning designations
- □ Describe specific impact of the zoning law/planning designation on actions within the corridor

□ Identify all restoration, recovery, or network of plans within the corridor:

- □ List other agency interests within the corridor
- □ Identify how the interests affect/are affected by transportation priorities

□ Develop a partnership profile: Make a contact sheet of resource agency staff and summarize coordination efforts conducted for the study

2.5 Ensuring access and inclusion to WSDOT planning and project delivery

A major component to a successful planning effort includes our efforts to engage our partners and the communities we serve. There are no specific or unique requirements for environmental justice (EJ) in PEL; however, there are requirements for EJ considered in planning and in environmental review. Agency EJ requirements are met by following the direction in the WSDOT Community Engagement Plan.

WSDOT's focus on inclusion of all the communities we serve, further motivates us to seek ways to increase access to and participation in the transportation decision-making process. WSDOT seeks to understand and be sensitive to the needs of the diverse communities we serve. We also want all businesses desiring to work with us to have fair and equal access to contracting opportunities. To embrace diversity WSDOT employs three strategies: 1) Tailor our community outreach to the unique range of conditions and populations that exist within each corridor; 2) Attempt to identify and remove all barriers to access and participation; and, 3) Find partners, including community representatives, stakeholders, and resource networks, to improve how we connect with community members.

Traditionally underserved/disadvantaged populations are typically less likely to have access to and participate in the decision-making process. As part of this pilot, we will use an inclusion workbook to improve our efforts to provide access and encourage participation in our planning efforts. Our pilot inclusion workbook will allow planners to explore the different opportunities for increasing participation in the decision-making process, allowing WSDOT to tailor our inclusion efforts to each community we serve.

We recommend that PEL pilot teams and other planning staff conducting community engagement review the PEL Questionnaire to understand how best to consider relevant outreach products with NEPA/SEPA in mind.

Access and Inclusion Considerations:

□ Discuss inclusion with region communications and Title VI Liaison staff

□ Complete analysis detailed in the inclusion workbook

□ Define the inclusion strategy for the study

2.6 Informing a proposed solution's schedule and budget

From past experience WSDOT knows that projects with specific categories of environmental impacts take more time and require more budget than others. Early coordination during planning can vastly improve the quality of information needed to adequately scope a future project. Remember: If this work is done in planning, we can reduce project delivery time and eliminate some of the complicated process requirements.

Pilot teams should investigate the process and budget needs in more detail to build certainty with your proposed compliance path. Using this guidance, the team can explore ways to avoid, minimize, or mitigate impacts associated with these projects. As you work through the process it's important to document your outreach, analysis, and decisions so that work can be used for NEPA/SEPA. In addition to I-4 retrofits considerations identified when the study team is defining proposed solutions, the following issues are likely to have large budget and schedule implications:

- Development in a floodplain
- Known cultural resources
- Mitigation needs (e.g., wetlands, habitat, noise, historic bridges/cultural resources, known hazardous materials)
- Relocation needs
- Community controversy

Planning studies likely to involve these issues should explore the issues in more detail, and reach out to discipline experts to get a better informed idea of scope and schedule implications.

To help with early identification of environmental issues, ESO recommends that a NEPA Categorical Exclusion (CE) Checklist (i.e., WSDOT's ERS form, used to scope a project before programming a budget needed to complete design) be considered when proposed solutions are identified, as part of your Environmental Planning/PEL package. When assessing alternative strategies, work with environmental staff to assess federal regulatory process/impact assessment needs:

- U.S. Coast Guard Permits – does WSDOT need to coordinate NEPA with the USCG?
- Clean Water Act – stormwater management and treatment, temporary erosion control, water quality, wetlands (including discussion of impacts to sole source aquifers (EPA) and assessing the least environmental damaging practical alternative (USACE))
- Endangered Species Act – proximity and effects to endangered species and critical habitat
- National Historic Preservation Act – Section 106 consultation for possible effects to cultural resources
- Recreational/Resource Lands – impacts and offsets to Section 6(f) and Section 4(f) properties

Schedule and Budget Considerations:

□ Reference the TEIS CE checklist (ERS form) and the Environmental Work Bench to define environmental resources within the limits of the planning study's proposed solutions. Assess the likelihood and extent of resource impacts, and effect of those impacts on the compliance strategy. Note any deviations from typical environmental considerations and effect the deviation will have on schedule and budget

□ Development in a floodplain – contact the HQ Hydraulics/Hydrology Program to determine scope of hydraulic assessment

□ Cultural Resources – Contact ESO's Cultural Resources Program to determine likely scope of cultural resources investigation needed.

□ Mitigation needs – using the information gathered from the CE checklist, work with appropriate discipline experts to define the likely mitigation needed and process to achieve that mitigation. Consider advanced mitigation, mitigation banking, or other time saving process in your review

□ Relocation Needs – discuss ROW needs with Real Estate Services. Reference work completed in the inclusion workbook to determine if there will be an Environmental Justice impact and how to analyze and document that impact.

□ Federal Actions – identify federal funding, permits, and approvals associated with proposed solutions.

- □ USCG – may require navigation study and coordination on NEPA documentation
- □ Clean Water Act Permits – may require EPA and USACE specific documents hydraulic assessment, stormwater plan, wetland report, and coordination on NEPA documentation
- □ Endangered Species Act – may require a Biological Assessment and Biological Opinion from NMFS and/or USFWS
- □ Section 106 – may require a cultural resources report and coordination with the State Historic Preservation Officer, affected tribes, and relevant historic preservation groups
- □ Recreation/Resource Lands – may require coordination with park/refuge manager and development of a Section 4(f) report if impacts to resources cannot be avoided.

2.7 Documentation requirements for federal PELs

Although the use of the PEL process is voluntary, the adoption of planning products in NEPA is subject to legal requirements set forth by MAP-21 and codified in 23 USC 168. The adoption of planning products, including PEL studies, for future use in NEPA proceedings may only occur when the lead federal agency determines the study met the following ten conditions set forth in 23 USC 168(d) (paraphrased here from Colorado DOT PEL Guidance (2016), and also listed in MAP-21 Section 1310):

1. The study was conducted in accordance with federal law.

2. The study was developed in consultation with federal and state resource agencies and Native American tribes.

3. The study involved multidisciplinary consideration, including systems-level or corridor wide needs and effects.

4. During the planning process, notice was provided and public participation took place.

5. After initiation of the environmental review process but prior to determining whether to use planning products, the lead agency must have made documentation available to stakeholders and considered any comments.

6. There is no significant new information or circumstance that has a reasonable likelihood of affecting the continued validity of the planning product.

7. The study has a rational basis centered on reliable and reasonably current data and scientific methodologies.

8. The study is documented in sufficient detail to support the decision or results of the analysis and to meet requirements for use in the environmental process.

9. The study is appropriate for adoption and use in the environmental review process.

10. The study was approved not later than 5 years prior to date on which information is adopted in the NEPA review.

PEL documentation can be appended to or referenced in the NEPA document. To aid agencies in incorporating PEL principles into their planning and environmental review processes, FHWA introduced the concept of a PEL Questionnaire to ensure that planning information and decisions are properly documented for use in the NEPA review process.

Each planning study considered for PEL should contain a PEL section that addresses the PEL questionnaire and key elements relevant to the environmental process. For example, the questionnaire will help ensure that the early planning process is undertaken and documented correctly. Through PEL, the planning team identifies the NEPA/SEPA project background, study assumptions and analytical study methodologies, public and agency coordination, purpose and need of the proposed solutions, range of alternatives, and environmental resources considered. Documentation of these key planning elements along with the environmental data for scoping and regulatory related information completes the link between planning and the environmental regulatory processes. Examples of PEL documentation can be found on the PEL website. Planning and environmental staff share the task of creating the PEL section.

Formal PEL Study Considerations:

□ The proposed solution identified in the planning study has been "right-sized" (see section 2.2 of this chapter) and is appropriate to be considered for a formal PEL study

□ The study team has defined the NEPA strategy, including all plans necessary to meet agency NEPA procedural requirements (e.g., NEPA Strategy Checklist, Coordination Plan, QA/QC Plan). Plans define coordination efforts to vet:

□ NEPA/SEPA and planning study background including logical termini and independent utility of solutions identified

□ Proposed solution's Purpose and Need

□ Scope and extent of environmental impact analysis (i.e., disciplines considered)

□ Study and discipline specific Methods and Assumptions

□ Alternatives considered, and screening process used to advance/eliminate proposed solutions

□ Coordination and Community Engagement, including the identification of agency NEPA/SEPA Co-leads, Cooperating, and Participating agencies, and efforts to ensure equitable access to the transportation decision-making process

□ Staff have coordinated with the federal lead to discuss procedural requirements and documentation needs for the study and environmental analysis

3.0 Pilot Studies and Review Schedule for the Environmental Planning and PEL Guidance

Four pilot studies have been identified to test this guidance. ESO is working with region planning and environmental staff to test how best to incorporate environmental data into the planning studies. Two of the four studies will be wrapped up by June 2019. The SR 410 study will be completed by December 2018. The US 2 Trestle project will be completed by March 2020. Regardless of the status of specific studies, ESO will consider the lessons learned from these pilot studies and update this guidance by June 2019 for implementation during the 2019-2021 biennium.

Study Name	Location	Existing Phase	Main Project Elements	Likely NEPA Strategy
I-5 Ops/Demand	SR 11 to SR 548	Planning	TSMO & local roads	CE
SR 410	SR 169 to SR 162	Planning	Small projects	CE
US 2 Trestle	1-5 to SR 204	Pre-Design	Westbound trestle replacement	EA-EIS
US 12 Heron Street Bridge	Aberdeen	Pre-Design	Bridge replacement	EA

4.0 Alignment with the steps in DRAFT Integrated Scoping Handbook

This section will be further developed as it is tested through our pilot studies. As the pilots work through both processes, we hope to capture their best practices, eliminate duplication, and streamline the guidance. In addition, links to other agency documents and tools will be added.

Below is ESO's attempt to explain how environmental-focused analysis during planning fits into WSDOT's recent work on Integrated Scoping (based on the May 2018 draft Integrated Scoping Handbook). Since both of these documents are still in draft stage, we don't yet have a clear vision of whether they will be companion documents, or whether the Handbook will be a stand-alone document. We welcome ideas, and look forward to learning as these processes advance through planning study tests/pilots.

4.1 How does PEL fit with Corridor Sketch Strategies (Integrated Scoping Step 0) and Determining which Corridors enter Integrated Scoping (Step 0.5)

We discuss the relationship between WSDOT's Corridor Sketch Initiative and our environmental planning work in Section 2.3 of this guidance.

The purpose of identifying environmental issues during CSI is to ensure environmental contextual and baseline needs are considered along with other transportation priorities. Environmental baseline and contextual needs should be considered as part of the overall selection, but typically are not used as the sole reason to begin a corridor study. As corridors are selected for study, the CSI environmental priorities are reviewed and updated so that step 1 of Integrated Scoping works from current environmental data.

4.2 Meet with M3 partners (multimodal, multi-agency, multi-discipline partners) to review inputs and establish screening criteria (Integrated Scoping Step 1)

Partnering is a key point in the environmental planning process.

> **Integrated Scoping Step 1 Requirement - Establish Governing Documents**
>
> Both Integrated Scoping and PEL requires a multimodal, multi-agency, multi-discipline team to establish base criteria for the analysis. The first step of Integrated Scoping is to establish a charter to define the study. The charter includes a description of the study's purpose and need, the area of the study, methods of analysis and key assumptions, metrics and screening criteria, and the establishment of a community engagement plan. Because these elements are also necessary for NEPA, considering environmental work during planning will ensure the plan's foundation is adequate for both. Environmental staff will follow steps outlined on WSDOT's Website, NEPA/SEPA Guidance, to ensure planning and environmental terms align and the planning process is adequate for the appropriate NEPA strategy. For example, environmental staff will work with the team to ensure the community engagement plan defines how the team will engage natural resource agencies, tribes, and define what analysis is being done to ensure the entire community has an opportunity to contribute.

Integrated Scoping Step 1 Requirement - Document Baseline Information for the study

To identify external interests that will provide context for a Corridor Planning Study, ESO recommends teams create a partnership profile as part of Step 1. Section 2.3 of this Handbook describes this consideration in further detail.

During Step 1, consider the following questions from the PEL Questionnaire:

Background:

A. Who is the sponsor of the planning study? (state DOT, Local Agency, Other)
B. What is the name of the planning study/document and other identifying project information (e.g., sub-account or STIP numbers, long-range plan, or transportation improvement program years)?
C. Who is included on the study team (Name and title of agency representatives, consultants, etc.)?
D. Provide a brief chronology of the planning activities including the year(s) the studies were completed.
E. Are there recent, current, or near future planning studies or projects in the vicinity? What is the relationship of this project to those studies/projects (e.g., Are corridor connections described in local transportation plans? Do those plans identify elements incorporated into the current plan? How might WSDOT planning modify local plans, or vice versa?)?

Purpose and need for the study:

A. What is the scope of the study and the reason for completing it?
B. Provide the purpose and need statement, or the corridor vision and transportation goals and objectives to realize that vision.
C. What steps will need to be taken during the NEPA process to make this a project-level purpose and need statement?

4.3 Review conceptual solutions, screen out impractical…, address performance gaps (Integrated Scoping Step 2)

During this step, the teams must document how alternative solutions are screened. It helps to use terms common between the planning and NEPA/SEPA processes to ensure the step is documented correctly.

Screening should: confirm the focus of environmental needs (i.e., baseline or context for identified solutions); define public and agency coordination (including focus on inclusion, environmental justice, and access equity); provide clear purpose and need statements for the proposed solutions; identify the range of alternatives and screening criteria, and document how environmental resources are considered when screening proposed solutions.

During Step 2, address the following questions from the PEL Questionnaire:

Methodology used:

A. What was the scope of the study and the reason for completing it?

B. Did you use NEPA-like language? Why or why not?
C. What were the actual terms used and how did you define them? (Provide examples or list)
D. How do you see these terms being used in NEPA documents?
E. Attach the project schedule and describe the planning process. Specifically: What were the key steps and coordination points in the PEL decision-making process? Who were the decision-makers and who else participated in those key steps? For example, for the corridor vision, "the decision was made by state DOT and the local agency, with buy-in from FHWA, the USACE, and USFWS and other resource/regulatory agencies".
F. What should be taken into consideration when presenting the PEL information in NEPA?

Range of alternatives: Planning teams need to be cautious during the alternatives screening process; alternative screening should focus on purpose and need/corridor vision, fatal flaw analysis, and possibly mode selection. This may help minimize problems during discussions with resource agencies. Alternatives that have fatal flaws or do not meet the purpose and need/corridor vision will not be considered reasonable alternatives, even if they reduce impacts to a particular resource. Detail the range of alternatives considered, screening criteria, and screening process, including:

A. What types of alternatives were looked at? (Provide a one or two sentence summary and reference document.)
B. How did you select the screening criteria and screening process?
C. For alternative(s) that were screened out, briefly summarize the reasons for eliminating the alternative(s). (During the initial screenings, this generally will focus on fatal flaws.)
D. Which alternatives should be brought forward into NEPA and why?
E. Did the public, stakeholders, and agencies have an opportunity to comment during this process?
F. Were there unresolved issues with the public, stakeholders, and/or agencies?

4.4 Assemble solutions (Integrated Scoping Step 3)

The purpose of this step is to build and optimize packages of solutions that combine different Transportation System Management and Operation (TSMO) strategies (TSMO, operational, demand management, policy, multimodal, and local network solutions) and/or strategic capacity expansion. During step 3 the team identifies solutions, including legislatively proposed solutions that best meet performance metrics determined in Step 1.

During Step 3, address the following questions from the PEL Questionnaire:

Agency coordination:

A. Provide a synopsis of coordination with Federal, tribal, state and local environmental, regulatory and resource agencies. Describe their level of participation and how you coordinated with them.

B. What transportation agencies (e.g. for adjacent jurisdictions) did you coordinate with or were involved during the study?
C. What steps will need to be taken with each agency during NEPA scoping?

4.5 Evaluate solution packages (Integrated Scoping Step 4)

This step gets to a planning-level estimate of solution packages. For PEL, we want to understand how these proposed solutions relate to a No Action alternative, so baseline conditions and impacts of the proposed solutions can be clearly understood. During this step, teams will provide rationale for any alternatives not considered. The rationale must be based on input from public and agencies, and document the extent of community engagement. This stage will inform the schedule and budget needs to document environmental compliance, and identify any dissent or public controversy. Finally, NEPA/SEPA strategies for proposed solutions will be documented.

During Step 4, fill out the CE Checklist (ERS) and answer the following questions in the PEL Questionnaire:

Environmental resources (wetlands, cultural, etc.) reviewed. For each resource or group of resources reviewed, provide the following:

A. In the study, at what level of detail was the resource reviewed and what was the method of review?
B. Is this resource present in the area and what is the existing environmental condition for this resource?
C. What are the issues that need to be considered during NEPA, including potential resource impacts and potential mitigation requirements (if known)?
D. How will the planning data provided need to be supplemented during NEPA?

List environmental resources you are aware of that were not reviewed in the PEL study and why. Indicate whether or not they will need to be reviewed in NEPA and explain why.

Describe any mitigation strategies discussed at the planning level that should be analyzed during NEPA.

What needs to be done during NEPA to make information from the study available to the agencies and the public? Are there study products which can be used or provided to agencies or the public during the NEPA scoping process?

Are there any other issues a future project team should be aware of? Examples: Controversy, utility problems, access or ROW issues, encroachments into ROW, problematic landowners and/or groups, contact information for stakeholders, special or unique resources in the area, etc.